

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

WILLIE JAMES MCGRAW,

Plaintiff,

File no: 2:06-CV-165

v.

HON. ROBERT HOLMES BELL

K. HILL, et al.,

Defendants.

_____/

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Defendants' motion for summary judgment (Docket #38) is **GRANTED** and Plaintiff's complaint is dismissed in its entirety.

IT IS FURTHER ORDERED that this dismissal shall count as a strike for purposes of 28 U.S.C. §1915(g).

IT IS FURTHER ORDERED that the Court finds no good-faith basis for appeal

within the meaning of 28 U.S.C. §1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Date: June 9, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE